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 DISTRICT OF NEVADA

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10 UNITED STATES DISTRICT COURT
 11 DISTRICT OF NEVADA

12 GNLV, Corp., a Nevada
 corporation,

13 Plaintiff,

14 v.

15 Kanter Associates SA, a
 corporation,

17 Defendant.

Case No.: 2:11-cv-00827-KJD-PAL

ORDER GRANTING PRELIMINARY
 INJUNCTION

19 This matter having come before the Honorable Kent Dawson on June 7, 2011,
 20 Laraine M.I. Burrell, of the law firm of Greenberg Traurig, LLP, appearing on behalf of
 21 Plaintiff GNLV, Corp. ("GNLV" or "Plaintiff") and no appearance being made on behalf of
 22 Defendant Kanter Associates SA ("Kanter" or "Defendant"), and good cause appearing
 23 therefore, this Court hereby finds and orders as follows:

24 1. This Court has subject matter jurisdiction pursuant to 15 U.S.C. § 1121 and 28
 25 U.S.C. §§ 1331 and 1338;

26 2. The Court has personal jurisdiction over the Defendant in that the Defendant
 27 regularly conducts business in the State of Nevada, and Defendant committed tortious acts
 28 that it knew or should have known would cause injury to Plaintiff in the State of Nevada;

3. Defendant was served on May 25, 2011 by electronic mail in accordance with Rules 4 and 5 of the Federal Rules of Civil Procedure and pursuant to the Order of this Court with the Complaint in this action, Summons, Plaintiff's Application for Temporary Restraining Order and Motion for Preliminary Injunction and Temporary Restraining Order entered by this Court on May 20, 2011;

4. Plaintiff filed with the Court on May 27, 2011 a Request for Service on Defendant in a Foreign Country by Registered Mail ("Request"). The Court delivered the Request to the United States Postal Service on May 27, 2011.

5. Plaintiff, in compliance with the Order of this Court, filed a bond in the amount of One Hundred and No/100 Dollars (\$100.00) on June 6, 2011.

6. Plaintiff GNLV, Corp., a Nevada corporation with its principal place of business in Las Vegas, Nevada operates the Golden Nugget resort hotel casino in Las Vegas, Nevada. GNLV owns the mark GOLDEN NUGGET (the "GNLV Marks") and has obtained federal registrations for the GNLV Marks for various goods and services, including but not limited to:

(a) GOLDEN NUGGET for casino and bar services (U.S. Reg. No. 1,554,155);

(b) GOLDEN NUGGET for nightclub, bar, cabaret and casino services (U.S. Reg. No. 1,082,044); and

(c) GOLDEN NUGGET for casino services (U.S. Reg. No. 1,203,988).

7. Defendant Kanter Associates, SA has used Plaintiff's marks as part of its Internet domain name <thegoldennuggett.com> (the "Infringing Domain Name") without Plaintiff's authority or permission;

8. Plaintiff GNLV will suffer irreparable injury if the Court does not require the domain name registrar Fabulous.com PVT, Ltd. ("Registrar") to lock the Infringing Domain Name and transfer it to Plaintiff pending litigation of this matter.

9. Plaintiff has demonstrated likelihood of success on the merits of its mark infringement claims against Defendant under the Lanhan Act, 15 U.S.C. § 1114, and

1 Nevada law; and

2 10. Plaintiff has demonstrated likelihood of success on the merits of its unfair
3 competition claims against Defendant under the Lanham act, 15 U.S.C. § 1125(a).

4 IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that GNLV's Motion
5 for Preliminary Injunction is hereby GRANTED.

6 IT IS FURTHER ORDERED that, pursuant to 15 U.S.C. § 1125(d)(1), the domain
7 name <thegoldennuggett.com> shall remain locked by Fabulous.com PVT, Ltd. and/or its
8 successor registrars and in the possession of Plaintiff, as ordered by this Court in the
9 Temporary Restraining Order dated May 20, 2011, throughout the pendency of this
10 litigation;

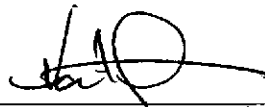
11 IT IS FURTHER ORDERED that the Registrar and/or its successor registrars
12 remove all existing Domain Name Server (DNS) entries and corresponding addresses, and
13 enter the Registrar's default Domain Name Server and address entries to prevent further
14 damage caused by the infringing use of the Infringing Domain Name.

15 IT IS FURTHER ORDERED that Defendant will immediately cease and desist any
16 and all use of Plaintiff's name and trademarks and any and all variants thereof, including
17 use of the Infringing Domain Names and any and all variants thereof;

18 IT IS FURTHER ORDERED that Defendant shall file, pursuant to 15 U.S.C. §
19 1116(a), with this Court and serve upon Plaintiff within thirty (30) days after entry of this
20 Order, a report in writing under oath setting in detail the manner and form in which
21 Defendant has complied with this Court's Order; and

22 IT IS FURTHER ORDERED that the bond posted with this Court in the amount of
23 One Hundred and no/100 Dollars (\$100.00) shall be applied to this preliminary injunction.

24 DATED: 7th day of June, 2011


25
26 

27 UNITED STATES DISTRICT JUDGE

28 Dated: _____

1 Respectfully submitted by:

2
3 GREENBERG TRAURIG, LLP

4 
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